

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

COLLEEN HILLS	:	CASE NO.
514 Tryens Road	:	
Aston, PA 19014	:	
	:	
Plaintiff	:	
	:	
v.	:	
	:	
LORENZO ROMERO-SANCHEZ	:	
716 Berry Road	:	
Wilmington, DE 19810	:	
and	:	
LINDA PULLMAN	:	
716 Berry Road	:	
Wilmington, DE 19810	:	
and	:	
BJORN M. HAGLID	:	
101 Stone Tower Lane	:	
Wilmington, DE 19803	:	
	:	
Defendants	:	

PLAINTIFF'S COMPLAINT

AND NOW, comes the plaintiff, Colleen Hills, by and through her attorney, Thomas F. Sacchetta, Esquire, and respectfully represent as follows:

JURISDICTIONAL STATEMENT

1. This court has jurisdiction as the amount in controversy exceeds Seventy-five Thousand (\$75,000.00) Dollars, exclusive of interest and costs, and the defendant is of diverse citizenship. Plaintiff is a citizen of the Commonwealth of Pennsylvania and defendants reside in the State of Delaware. The subject accident, out of which this claim arises, occurred in the State of Delaware.

PARTIES

2. Plaintiff, Colleen Hills, is an adult individual residing at 514 Tryens Road, Aston, Pennsylvania 19014 and is a citizen of the Commonwealth of Pennsylvania.

3. Defendant, Lorenzo Romero-Sanchez, is an adult individual residing at 716 Berry Road, Wilmington, Delaware 19810 and is a citizen of the State of Delaware.

4. Defendant, Linda M. Pullman, is an adult individual residing at 716 Berry Road, Wilmington, Delaware 19810 and is a citizen of the State of Delaware.

5. Defendant, Bjorn Haglid, is an adult individual residing at 101 Stone Tower Lane, Wilmington, Delaware 19803 and is a citizen of the State of Delaware.

VENUE

6. The facts and occurrences herein stated took place on or about March 23, 2003 at or near Foulk Road and Weldin Road, Wilmington, Delaware, thus making the U.S. District Court for the District of Delaware the proper venue.

FACTS

7. At the aforesaid time and place, plaintiff was a passenger in a vehicle driven by defendant, Haglid Bjorn west on Weldin Road attempting to turn on Foulk Road.

8. At the aforesaid time and place, defendant, Lorenzo Romero-Sanchez, was operating a vehicle owned by defendant, Linda M. Pullman north on Foulk Road.

9. At the aforesaid time and place, due to the negligence, recklessness, carelessness and intentional acts of defendant, Lorenzo Romero-Sanchez, the vehicle plaintiff was traveling in was struck by defendant, Lorenzo Romero-Sanchez causing plaintiff to sustain severe personal injuries and other damages as more fully set forth herein.

10. At the aforesaid time and place, due to the negligence, recklessness, carelessness and intentional acts of defendant, Bjorn M. Haglid, who was subsequently charged by police with driving under the influence and related offenses, a violent accident occurred causing plaintiff to sustained severe personal injuries and other damages as more fully set forth herein.

11. The accident was caused by the negligence and recklessness of defendants and was in no way caused by plaintiff.

COUNT I - NEGLIGENCE

Plaintiff, Colleen Hills v. Defendant, Lorenzo Romero-Sanchez

12. Plaintiff hereby incorporates all preceding paragraphs and counts by reference as though fully set forth herein at length.

13. The negligence, recklessness and carelessness of defendant, Lorenzo Romero-Sanchez, consisted of:

- (a) Operating the vehicle at an excessive rate of speed under the circumstances;
- (b) Failing to have the vehicle under proper and adequate control;
- (c) Failing to apply the brakes in time to avoid a collision;
- (d) Negligently applying the brakes;
- (e) Failing to operate the vehicle in accordance with existing traffic conditions and traffic controls;
- (f) Failing to drive at a speed and in a manner consistent with keeping the vehicle under control;
- (g) Failing to keep a reasonable lookout;

- (h) Operating the vehicle in a manner not consistent with the road and weather conditions prevailing at the time;
- (i) Failing to have the vehicle under proper and adequate control and failing to keep the vehicle in the proper lane of travel;
- (j) Otherwise operating said vehicle in a careless, reckless and negligent manner and in a manner violating the motor vehicle code of the State of Delaware;
- (k) Operating the vehicle so as to create a dangerous situation for others;
- (l) Failing to observe plaintiff's vehicle on the highway;
- (m) Failing to keep a reasonable look-out for other vehicles lawfully on the road;

14. As a result of the aforesaid accident, plaintiff suffered severe injuries, which include, but are not limited to, post traumatic cervical sprain and strain, post traumatic lumbosacral sprain and strain, post traumatic thoracic sprain and strain, post traumatic concussion syndrome with loss of consciousness, post traumatic stress disorder, post traumatic neuralgia right anterior tibia, reflex sympathetic dystrophy, bumps, bruises, abrasions and lacerations about the body.

15. As a result of her injuries, plaintiff has undergone in the past and will in the future continue to undergo great pain and suffering.

16. As a result of her injuries, plaintiff has suffered a permanent disability and a permanent impairment of her earning power and capacity.

17. As a result of her injuries, plaintiff has suffered a permanent diminution of her ability to enjoy life and life's pleasures.

18. As a result of her injuries, plaintiff has incurred reasonable and necessary medical expenses for which he is seeking reimbursement.

19. As a result of her injuries, plaintiff will in the future incur medical expenses and income loss, and a claim is made therefor.

WHEREFORE, plaintiff, Colleen Hills, demands judgment against the defendants, jointly and severally, in an amount in excess of Seventy-five Thousand (\$75,000.00) Dollars, exclusive of interest and costs.

COUNT II - NEGLIGENT ENTRUSTMENT

Plaintiff, Colleen Hills v. Defendant, Linda M. Pullman

20. Plaintiff hereby incorporates all preceding paragraphs and counts by reference as though fully set forth herein at length.

21. Defendant, Linda M. Pullman, was negligent, careless and reckless in the following regards:

(a) she entrusted, or by and through her agents, servants, workmen and employees allowed to be entrusted, her vehicle to defendant, Lorenzo Romero-Sanchez, and it knew or reasonably should have known that defendant, Lorenzo Romero-Sanchez was not competent to drive such vehicle; and

(b) she allowed defendant, Lorenzo Romero-Sanchez, and, her agents, servants, workmen or employees to operate her vehicle, which vehicle was operated in a careless, reckless and/or negligent fashion as stated in Count I herein.

22. Plaintiff has sustained severe bodily injuries as delineated earlier herein as a result of the negligence, carelessness and recklessness of defendants.

WHEREFORE, plaintiff, Colleen Hills, demands judgment against the defendants, jointly and severally, in an amount in excess of Seventy-five Thousand (\$75,000.00) Dollars, exclusive of interest and costs.

COUNT III - NEGLIGENCE

Plaintiff, Colleen Hills v. Defendant, Bjorn M. Haglid

23. Plaintiff hereby incorporates all preceding paragraphs and counts by reference as though fully set forth herein at length.

24. The negligence, recklessness and carelessness of defendant, Bjorn M. Haglid, consisted of:

- (a) Operating his vehicle while under the influence of alcohol;
- (b) Operating the vehicle at an excessive rate of speed under the circumstances;
- (c) Failing to have the vehicle under proper and adequate control;
- (d) Failing to apply the brakes in time to avoid a collision;
- (e) Negligently applying the brakes;
- (f) Failing to operate the vehicle in accordance with existing traffic conditions and traffic controls;
- (g) Failing to drive at a speed and in a manner consistent with keeping the vehicle under control;
- (h) Failing to keep a reasonable lookout;
- (i) Operating the vehicle in a manner not consistent with the road and weather conditions prevailing at the time;

- (j) Failing to have the vehicle under proper and adequate control and failing to keep the vehicle in the proper lane of travel;
- (k) Otherwise operating said vehicle in a careless, reckless and negligent manner and in a manner violating the motor vehicle code of the State of Delaware;
- (l) Operating the vehicle so as to create a dangerous situation for others;
- (m) Failing to observe plaintiff's vehicle on the highway;
- (n) Failing to keep a reasonable look-out for other vehicles lawfully on the road;
- (o) Otherwise operating said vehicle in a careless, reckless and negligent manner and in a manner violating the Motor Vehicle Code of the State of Delaware, operating a vehicle while under the influence of alcohol and/or drugs.

25. As a result of the aforesaid accident, plaintiff suffered severe injuries, which include, but are not limited to, post traumatic cervical sprain and strain, post traumatic lumbosacral sprain and strain, post traumatic thoracic sprain and strain, post traumatic concussion syndrome with loss of consciousness, post traumatic stress disorder, post traumatic neuralgia right anterior tibia, reflex sympathetic dystrophy, bumps, bruises, abrasions and lacerations about the body.

26. As a result of her injuries, plaintiff has undergone in the past and will in the future continue to undergo great pain and suffering.

27. As a result of her injuries, plaintiff has suffered a permanent disability and a permanent impairment of her earning power and capacity.

28. As a result of her injuries, plaintiff has suffered a permanent diminution of her

ability to enjoy life and life's pleasures.

29. As a result of her injuries, plaintiff has incurred reasonable and necessary medical expenses for which he is seeking reimbursement.

30. As a result of her injuries, plaintiff will in the future incur medical expenses and income loss, and a claim is made therefor.

WHEREFORE, plaintiff, Colleen Hills, demands judgment against the defendants, jointly and severally, in an amount in excess of Seventy-five Thousand (\$75,000.00) Dollars, exclusive of interest and costs.

COUNT IV - PUNITIVE DAMAGES

Plaintiff, Colleen Hills v. Defendant, Bjorn M. Haglid

31. Plaintiff incorporates by reference all preceding paragraphs of this Complaint as though fully set forth at length.

32. The reckless, wanton and malicious behavior of defendant, Bjorn M. Haglid in driving while under the influence of alcohol, demonstrates callous disregard for human life and warrants imposition of punitive damages.

WHEREFORE, plaintiff, Colleen Hills, makes a claim for punitive damages in an amount in excess of Fifty Thousand (\$50,000.00) Dollars and in excess of this court's arbitration limit.

COUNT V - PUNITIVE DAMAGES

Plaintiff, Colleen Hills v. Defendant, Lorenzo Romero-Sanchez

33. Plaintiff incorporates by reference all preceding paragraphs of this Complaint as though fully set forth at length.

34. The reckless, wanton and malicious behavior of defendant, Lorenzo Romero-

Sanchez in driving while under the influence of alcohol, demonstrates callous disregard for human life and warrants imposition of punitive damages.

WHEREFORE, plaintiff, Colleen Hills, makes a claim for punitive damages in an amount in excess of Fifty Thousand (\$50,000.00) Dollars and in excess of this court's arbitration limit.

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